

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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C.R.P. No. 2377 of 2016

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DATE: 16.06.2016

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Between:

Paruchuri Ravi

.. Petitioner

And

Paruchuri Bose
and 10 others

.. Respondents

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ORDER:-

This Civil Revision Petition is filed assailing the order dated 06.04.2016 made in I.A.No. 134 of 2015 in O.S.No. 334 of 2007 on the file of the Court of the Additional Senior Civil Judge, Tenali, whereby the petition filed under Rule 10

Order 1 of Civil Procedure Code seeking to implead the petitioner as 3rd plaintiff in the suit and permit him to amend the plaint, was dismissed.

Heard Sri V.V.L.N.Sarma, learned counsel for the petitioner, at length and perused the material placed on record.

The learned counsel for the petitioner has submitted that the petitioner's apprehension is that the plaintiffs and the defendants are in collusion and the matter may be compromised among themselves, and if that is so, the petitioner, being one of the legal heirs of one of the trustees of the Trust, would suffer irreparable loss.

It is an admitted fact that the suit in O.S.No. 334 of 2007 is fixed for arguments and the trial Court is in the process to decide the suit.

Keeping in view the grounds raised in the petition, and the categorical submission made by the learned counsel for the petitioner that at this stage it is not legally valid to implead the petitioner as 3rd plaintiff in the suit and the trial Court may be directed to decide the suit on merits instead of deciding it as compromised, this Court is inclined to dispose of the Civil Revision Petition with the following direction:

“The trial Court is directed not to allow the parties to compromise the matter in the suit but decide the same on merits.”

With the above direction, the Civil Revision Petition is disposed of. No order as to costs.

As a sequel to the disposal of the Civil Revision Petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

16.06.2016

bcj